

# **Notice of Allowability**

Application No.

10/082,000

Examiner

Nguyen N Hanh

Applicant(s)

OHNISHI ET AL.

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendments filed on 10/20/03.
2. ☒ The allowed claim(s) is/are 1-3 and 5-7.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☒ including changes required by the proposed drawing correction filed 24 February 2003, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- 1 ☐ Notice of References Cited (PTO-892)
- 2 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3 ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. \_\_\_\_\_
- 4 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5 ☐ Notice of Informal Patent Application (PTO-152)
- 6 ☐ Interview Summary (PTO-413), Paper No. \_\_\_\_\_
- 7 ☐ Examiner's Amendment/Comment
- 8 ☒ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other

### DETAILED ACTION

#### *Remarks*

1. In view of amendments and cancellation of claims 4, 8-12, the Examiner withdraws the objection to the specification, the objection to claims 3 and 4, the rejection under 35 U.S.C. 112, second paragraph, to claims 3, 4, 7 and 8; the rejection under 35 USC 102 (a) and the rejection under 35 USC 103 (a) to claims 1-12.

Therefore, all the remaining claims are in a condition for allowance.

#### *Allowable Subject Matter*

2. Claims 1-3 and 5-7 are allowed.

3. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not show a three-phase hybrid type stepping motor comprising a stator, and a rotor arranged concentrically with the stator and with an air gap therebetween, said stator having stator poles with a plurality of small stator teeth at the tip end thereof, said rotor having two splitted rotor element plurality of small rotor teeth formed at a regular pitch on the outer peripheral surface of each of said rotor elements, said two splitted rotor elements being shifted from each other in angular position by a 1/2 pitch of the small rotor teeth, a permeance distribution of the small stator teeth is a vernier pitch balanced by a six order harmonic wave, and a ratio of the tooth width of the small rotor teeth or the tooth width of the small stator teeth with respect to the pitch of the small **rotor teeth** is set to .35-.45. The most relevant prior art is disclosed by Sakamoto (US Patent No. 6,160,330). However, Sakamoto fails to disclose a permeance distribution of the small stator teeth is a vernier pitch balanced by

a six order harmonic wave (as in claim 1) or a vernier pitch balanced by a three order harmonic wave (as in claim 2). Moreover, the optimum range disclosed by Sakamoto is the ratio of the tooth width of stator teeth with respect to the pitch of the **stator teeth** is set either .333 or in the range between .2 and .46 (Col. 16, lines 25-30). Therefore, the present invention as recited by the limitations of claims 1 and 2 is distinguished over prior art.

### ***Conclusion***

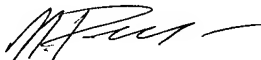
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh N Nguyen whose telephone number is (703) 305-3466. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

HNN

December 20, 2003



Nicholas Ponomarenko  
Primary Examiner  
Technology Center 2800